

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 80TH LEGISLATIVE REGULAR SESSION**

**May 18, 2007**

**TO:** Honorable Dianne White Delisi, Chair, House Committee on Public Health

**FROM:** John S. O'Brien, Director, Legislative Budget Board

**IN RE: SB155** by Zaffirini (Relating to the regulation of chemical dependency counselors. ),  
**Committee Report 2nd House, Substituted**

**Estimated Two-year Net Impact to General Revenue Related Funds** for SB155, Committee Report 2nd House, Substituted: a positive impact of \$33,429 through the biennium ending August 31, 2009.

The bill would make no appropriation but could provide the legal basis for an appropriation of funds to implement the provisions of the bill.

**General Revenue-Related Funds, Five-Year Impact:**

Fiscal Year	Probable Net Positive/(Negative) Impact to General Revenue Related Funds
2008	\$24,250
2009	\$9,179
2010	\$9,111
2011	\$8,998
2012	\$8,882

**All Funds, Five-Year Impact:**

Fiscal Year	Probable Revenue Gain/ (Loss) from <i>GENERAL REVENUE FUND 1</i>	Probable Savings/(Cost) from <i>GENERAL REVENUE FUND 1</i>	Change in Number of State Employees from FY 2007
2008	\$34,250	(\$10,000)	0.5
2009	\$34,250	(\$25,071)	0.5
2010	\$34,250	(\$25,139)	0.5
2011	\$34,250	(\$25,252)	0.5
2012	\$34,250	(\$25,368)	0.5

**Fiscal Analysis**

The bill would amend the Occupations Code as it relates to the regulation of chemical dependency counselors.

The bill would update Chapters 504, 467, and 411, Occupations Code to delete references to the Texas Commission on Alcohol and Drug Abuse (TCADA) and reflect the correct name of the administering agency, the Department of State Health Services (DSHS).

The bill would also require DSHS to approve one or more peer assistance programs established under the provisions of the bill, from which persons licensed under Chapter 504, Occupations Code may

seek assistance, not later than September 1, 2008. DSHS would be required to maintain a listing of approved peer assistance programs on the department's Internet website.

DSHS would be required to include an area on a licensed chemical dependency counselor (LCDC) license to which an adhesive label issued by the Texas Certification Board of Addiction Professionals indicating the designation and expiration date of any other related certification held by the licensee.

The bill requires that a counselor intern obtain required supervised work experience obtained in this state at a clinical training institution or under the supervision of a certified clinical supervisor. The executive commissioner of the Health and Human Services Commission (HHSC) is required to adopt rules to register clinical training institutions and certify clinical supervisors.

The bill also adds exemptions for certain persons not currently eligible for issuance or renewal of a license, registration, or certification under Chapter 504, Occupations Code. The bill also adds an exemption to a license renewal refusal if DSHS determines that a peer assistance program is not reasonably available to the license holder.

Currently 60 hours of continuing education are required in each two-year licensing period as a prerequisite for renewal of a license. The bill reduces this requirement to 40 hours if the license holder holds an associate's or bachelor's degree and 24 hours if the license holder holds a master's or more advanced degree.

The bill also applies statute related to disciplinary proceedings for LCDCs to those persons holding registrations or certifications under Chapter 504, Occupations Code.

Access to criminal history record information through the Department of Public Safety (DPS), currently authorized for applicants for a chemical dependency counselor license, is extended to applicants for a counselor intern's registration or a clinical supervisor certification.

Not later than May 1, 2008, the executive commissioner of HHSC would be required to adopt rules and DSHS would be required to adopt procedures necessary to implement the provisions of the bill.

Changes in law made by this Act to Section 504.1521 and 504.1525, Occupations Code would apply only to an initial license application filed on or after September 1, 2008.

Changes in law made by this Act to Section 504.2025, Occupations Code would apply only to a renewal application filed on or after September 1, 2008.

The bill would take effect September 1, 2007, with the exception of Section 504.1521 and 504.2025, Occupations Code, which would take effect September 1, 2008.

## **Methodology**

Under the provisions of the bill, DSHS estimates that an additional 0.5 FTES would be needed. The costs associated with these additional FTES would be \$25,071 in FY09, and \$25,139 in FY10, \$25,252 in FY11, and \$25,368 in FY12. These costs include salaries, benefits, rent, and other associated costs.

DSHS also estimates that \$10,000 would be needed in FY08 for database modifications.

DSHS also estimates that for costs associated with peer assistance, biennial renewal fees for LCDSCs, will be increased by \$15 and provide for an annual revenue increase of \$33,750. Additionally, for costs associated with the certification of clinical supervisors, DSHS estimates that new fees of \$20 would be implemented for application and renewal of certifications, resulting in \$500 in additional revenues. The total estimated revenue gain would be \$34,250 per fiscal year.

The Department of Public Safety estimates that the provisions of the bill could be handled with existing resources.

## **Technology**

DSHS estimates that the technology impact would be \$10,000 in FY08 for database modifications.

## **Local Government Impact**

No significant fiscal implication to units of local government is anticipated.

**Source Agencies:** 405 Department of Public Safety, 537 State Health Services, Department of

**LBB Staff:** JOB, LR, CL, PP, SJ